

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WILLIAM MOORE,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF  
EDUCATION, ET AL.,

Defendants.

3 Civ. 2034 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

Before the Court is pro se Plaintiff's fifth motion requesting relief pursuant to Federal Rule of Civil Procedure Rule 60.

Plaintiff commenced this action pro se, which the Court dismissed by order and judgement dated March 21, 2004. Since then, Plaintiff has filed multiple, successive petitions for relief from the judgment, each of which the Court has denied. (See dkt. nos. 44, 56, 60.) By order dated January 6, 2015, the Court directed the Clerk of Court to accept no further submissions from Plaintiff in this action except for those directed to the Court of Appeals. (Dkt. no. 60.) The Court also warned Plaintiff that further frivolous filings could result in the imposition of additional sanctions. (Id. at 2.)

Plaintiff's instant motion fails to comply with the Court's January 6, 2015 filing bar. Moreover, Plaintiff's latest

contentions that this civil action, which he initiated, should have been reassigned to state criminal court so that he could receive court-appointed counsel are, in the gentlest terms, frivolous. Accordingly, his motion is denied.

**CONCLUSION**

Plaintiff's motion (dkt. no. 63) is denied.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to close the open motions.

The Clerk of Court is further directed to discard all future filings in this action except for those directed to the United States Court of Appeals for the Second Circuit.

**SO ORDERED.**

Dated: New York, New York  
January 29, 2021



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LORETTA A. PRESKA  
Senior United States District Judge